

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed June 2, 2008.

I. Summary of Examiner's Rejections

Prior to the Office Action mailed June 2, 2008, claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, 24, and 31-44 were pending in the Application. Claim 42 was objected to. Claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, 24, and 34-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,101,506 to Ukai et al., in view of U.S. Patent No. 5,894,333 to Kanda et al. Claims 31-33, 43, and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ukai in view of Kanda as applied to claims 1, 9, 17, and 25 above, and further in view of U.S. Patent No. 6,238,106 to Rosati.

II. Summary of Applicants' Amendments

The present Response amends claims 13, 34-36, 42, and 44, leaving for the Examiner's present consideration claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, 24, and 31-44. Reconsideration of the Application and of the claims in light of the following arguments is respectfully requested.

III. Claim Objection

Claim 42 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 42 depends from base claim 37, and has been amended to include the limitations of base claim 37. Reconsideration of claim 42 in light of this amendment is respectfully requested.

IV. Claims Rejected under 35 U.S.C. §103(a)

Claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, 24, and 34-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,101,506 to Ukai et al. (hereinafter Ukai), in view of U.S. Patent No. 5,894,333 to Kanda et al. (hereinafter Kanda)

Claim 1

Claim 1 defines:

1. *(Previously presented) A method of organizing a plurality of objects, comprising the steps of:*
 - receiving user selections of multiple objects from the plurality of objects;*
 - creating one or more groups of objects from the multiple objects;*
 - designating a representative object for each of the groups of objects;*
 - searching the plurality of objects using a search parameter, and*
 - for the plurality of objects that meet the search parameter and that are part of one or more groups, returning the representative objects of groups of which any of the plurality of objects that meet the search parameter are members; and*
 - for particular ones of the plurality of objects that meet the search parameter and that are not part of one or more groups, returning the particular objects;*
 - displaying the returned representative objects of the groups of objects, the returned representative objects improving organization of objects and saving display space; and*
 - displaying the particular objects.*

Searching plurality of objects, returning representative objects

Claim 1 requires searching the plurality of objects using a search parameter, and returning the representative objects of groups of which any of the plurality of objects that meet the search parameter are members. Claim 1 further requires that for particular ones of the plurality of objects that meet the search parameter and that are not part of one or more groups, returning the particular objects. Claim 1 further requires displaying the returned representative objects and displaying the particular objects. Applicants respectfully submit that Ukai and Kanda do not teach these elements of claim 1, as discussed below.

Ukai

In the Office action at the top of p. 12, it was alleged that Ukai teaches display of the search results of representative files. The Applicants respectfully disagree. In steps 2050-2065 of Fig. 20, Ukai discloses that the user can select an all-file search or a representative-file search. (col. 20, lines 52-53).

Ukai's representative file search

Ukai discloses a representative file search that searches only the representative files. (col. 20, lines 43-45). If the search range is "representative file" in step 2045 (the user selects "representative" file" in Fig. 21), in step 2050, the leading ones of files of the same name as the representative files are subjected to search processing in step 2060. In the embodiment defined

by claim 1, the search range is all files, not just representative files. Thus, searching the *representative files* as disclosed in Ukai, is not the same as searching the plurality of objects (*all files*), as required by claim 1.

Ukai's all file search

Ukai also discloses an all file search that searches all files. If the search range is “all files” in step 2045 (the user selects “all files” in Fig. 21), then in step 2055, all files are subjected to search processing in step 2060. However, in step 2065 *all files returned that meet the search criteria are displayed*. Thus, an all file search that *returns all* files that meet the search criteria as disclosed in Ukai is not the same as an all file search that *returns only* the representative files of files in its group that meet the search parameter, as in the embodiment defined by claim 1. Additionally, displaying *all returned files*, as disclosed in Ukai, is not the same as displaying *returned representative objects*, as required by claim 1.

Kanda

In the Office action at the top of p. 12, it was alleged that Kanda also teaches display of the search results of representative files. The Applicants respectfully disagree. In Kanda, steps 179-184 of the Fig. 7 flowchart are used with the Fig. 6 user interface to *create a video scene*. In steps 170-171 of Fig. 7, the user creates a scene from the video source 101 of Fig. 1 by selecting the scene partition start button 152 in Fig. 6. In step 179, a representative image is created and displayed in step 184 to the representative display area 156 in Fig. 6. (col. 7, lines 20-21, 42-43, 45-46, 56; Figs. 6 and 7),

Kanda, however, is not disclosing searching in these cited sections. Instead, the user decides when a video scene begins by pressing a button, in order to create a scene. Thus, *creating a representative image* that is created after the user creates a scene, as disclosed in Kanda, is not the same as *searching* the plurality of objects using a search parameter, and *returning the representative objects* of groups of which any of the plurality of objects that meet the search parameter are members, as required by claim 1.

Searching plurality of objects

Claim 1 requires searching the *plurality of objects* using a search parameter.

Kanda discloses that the user first selects a scene, for example the top scene of Fig. 14. The user enters a specified time, the allowable input being in the range of scene start and end

time. (col. 9, lines 36-40). The user can then see where the object is located at the specified time, and can playback from that position if desired. (col. 9, lines 55-58).

In Kanda, the *plurality of objects* is images from scenes in a video source, such as the three separate scenes shown in Fig. 14. Each scene is a *group* of images, and the representative image is the image representing the group. Therefore, the user in Kanda performs a search on one scene (group), not a search on images from all of the scenes (plurality of objects), as required by claim 1. Thus, performing a search on one group in plurality of objects, as disclosed in Kanda, is not the same as searching the plurality of objects, as required by claim 1.

Returning objects not part of a group

Claim 1 further requires that for particular ones of the plurality of objects that meet the search parameter and *that are not part of one or more groups*, the method returns the particular objects. Applicants' argument in the previous response regarding this feature of claim 1 was not addressed in the Office action, and the argument is reiterated below.

Ukai simply does not teach or suggest that any of the files are not part of one or more groups. Because one main purpose of Ukai is to manage files by version, Ukai instead discloses grouping all files. Thus, Ukai does not disclose that for particular ones of the plurality of objects that meet the search parameter and that are not part of one or more groups, the method returns the particular objects, as required by claim 1.

Claim 1 conclusion

As such, Applicants respectfully submit that Ukai and Kanda fail to teach or suggest searching the plurality of objects using a search parameter, and returning the representative objects of groups of which any of the plurality of objects that meet the search parameter are members; for particular ones of the plurality of objects that meet the search parameter and that are not part of one or more groups, returning the particular objects; displaying the returned representative objects; and displaying the particular objects. For at least these reasons, Applicants respectfully submit that the embodiment defined by claim 1 is neither anticipated by, nor obvious in view of Ukai and Kanda, taken alone or in combination, and reconsideration thereof is respectfully requested.

Claims 9 and 17

Independent claims 9 and 17 are an article of manufacture claim and apparatus claim, respectively, similar to method claim 1. The comments provided above with respect to claim 1 are hereby incorporated by reference. For similar reasons as provided above with respect to claim 1, Applicants respectfully submit that the embodiments defined by claims 9 and 17 are likewise neither anticipated by, nor obvious in view of Ukai and Kanda, and reconsideration thereof is respectfully requested.

Claim 37

Claim 37 requires assigning a *first value* to each representative object, assigning a *second value* to the other objects in each of the groups of objects. Claim 37 further requires searching the plurality of objects using a search parameter, and for the plurality of objects that meet the search parameter and that are part of one or more groups, returning the representative objects that are those objects having a *first value*. An example of a first value is “true,” and an example of a second value is “false.” The first value, used for determining the group representative need not be true or false, but *may be any value* that will distinguish the group representative (first value) from the other objects of the group (second value). (Spec., paras. 0078-0079). Applicants respectfully submit that Ukai and Kanda do not teach these elements of claim 37, as discussed below.

In the Office action at the bottom of p. 11, it was alleged that Ukai teaches a second value to the other objects in each of the groups of objects. (Fig. 21 “all files”). The Applicants respectfully disagree. As discussed above with reference to claim 1, the “all files” button of Fig. 6, or Fig. 21, is used to search all files for a given search parameter. Ukai does not appear to teach or suggest, however, that these files, or “all files,” are assigned a “second value,” as is required of the plurality of object other than the representative objects by claim 37. For claim 37, one purpose of the first and second values is to be able to return the representative objects, or those objects associated with the first value, for the plurality of objects that meet the search criteria. As discussed above with reference to claim 1, however, Ukai does not disclose returning a representative object. Thus, Ukai does not further disclose using the first and second values in a search to return representative objects, as in the embodiment defined by claim 37.

As such, Applicants respectfully submit that Ukai and Kanda fail to teach or suggest assigning a first value to each representative object, assigning a second value to the other objects in each of the groups of objects; and searching the plurality of objects using a search parameter, and for the plurality of objects that meet the search parameter and that are part of one or more groups, returning the representative objects that are those objects having a first value, as required by claim 37. For at least these reasons, Applicants respectfully submit that the embodiment defined by claim 37 is neither anticipated by, nor obvious in view of Ukai and Kanda, taken alone or in combination, and reconsideration thereof is respectfully requested.

Claims 2, 10, 18, and 38

Claims 2, 10, 18, and 38 require that one or more of the plurality of objects comprises membership in more than one of the one or more groups of objects. Applicants' argument in the previous response regarding these claims was not addressed in the Office action, and the argument is reiterated below.

In the Office Action, it was stated that an object [a particular photograph (file) for example] may be part of more than one group [may be in both a catalog and an album, or even in two different catalogs for example]. (Ukai, figs. 1-4). One main point of the system disclosed in Ukai is to manage files by version, each of these objects (files) is part of only one group. Theoretically, a file could be in both a catalog and an album, for example, but Ukai does not appear to teach or suggest this.

In the Office Action, it was alleged that an object [Hitachi Catalog Vol. 3] may be part of [linked into (35)] more than one group [Hitachi Catalog and Hitachi Catalog 2]. (Ukai, Fig. 4). Fig. 14 shows that a series of files having the file name "Hitachi Catalog 2" *are derived from* "Hitachi Catalog, Vol. 3." (Ukai, col. 11, lines 47-49). The "Hitachi Catalog, Vol. 3" is a part of the "Hitachi Catalog." The series of files in "Hitachi Catalog 2," however, are separate from (derived from) the "Hitachi Catalog, Vol. 3" file. In other words, the "Hitachi Catalog, Vol. 3" file is not part of "Hitachi Catalog 2." Thus, "Hitachi Catalog, Vol. 3" is not part of more than one group, as in the embodiment defined by these claims.

As such, Applicants respectfully submit that Ukai and Kanda fail to teach or suggest that one or more of the plurality of objects comprises membership in more than one of the one or more groups of objects, as required by claims 2, 10, 18, and 38. For at least these reasons,

Applicants respectfully submit that the embodiment defined by claims 2, 10, 18, and 38 is neither anticipated by, nor obvious in view of Ukai and Kanda, taken alone or in combination, and reconsideration thereof is respectfully requested.

Claims 4-7, 12-14, 16, 20-22, 24, 39, and 41

Claims 4-7, 12-14, 16, 20-22, 24, 39, and 41 are not addressed separately, but it is respectfully submitted that these claims are allowable for at least the reason that these claims depend from allowable base claims. Applicants respectfully submit that claims 4-7, 12-14, 16, 20-22, 24, 39, and 41 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims also add their own limitations, which render them patentable in their own right. Applicants respectfully reserve the right to argue these limitations should it become necessary in the future.

Claim 40

Claim 40 requires assigning the second value to the additional object. As discussed above with reference to claim 37, Ukai and Kanda do not disclose assigning a second value to other objects in each of the groups of objects. Thus, Ukai and Kanda do not further disclose assigning the second value to the additional object, as required by claim 40.

As such, Applicants respectfully submit that Ukai and Kanda fail to teach or suggest assigning the second value to the additional object, as required by claim 40. For at least this reason, Applicants respectfully submit that the embodiment defined by claim 40 is neither anticipated by, nor obvious in view of Ukai and Kanda, taken alone or in combination, and reconsideration thereof is respectfully requested.

Claim 34-36

Claims 34-36 have been amended to properly change “or” to “and.” As amended, these claims require that each returned representative object is expandable to show all the members of the group *and* collapsible to show only the representative object.

It was stated in the Office action on p. 7, last para., that Ukai teach that each returned representative object is expandable to show all members of the group. Displaying the result of

all files as search-subjected files (Fig. 20, 2055-2065), is not the same as *expanding* the representative object to show all members of the group, as in the embodiment defined by claims 34-36. Further, Ukai and Kanda do not appear to teach or suggest that the returned representative object is *collapsible* to show only the representative object, as in the embodiment defined by claims 34-36. Still further, as discussed above with reference to claim 1, Ukai and Kanda do not teach or suggest returning a representative object, and thus Ukai and Kanda do not teach additional features of this element.

As such, Applicants respectfully submit that Ukai and Kanda fail to teach or suggest that each returned representative object is expandable to show all the members of the group and collapsible to show only the representative object, as required by claims 34-36. For at least these reasons, Applicants respectfully submit that the embodiment defined by claim 34-36 is neither anticipated by, nor obvious in view of Ukai and Kanda, taken alone or in combination, and reconsideration thereof is respectfully requested.

Claims 31-33, 43, and 44 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ukai in view of Kanda as applied to claims 1, 9, 17, and 25 above, and further in view of U.S. Patent No. 6,238,106 to Rosati.

Claims 31-33 and 43

Claims 31-33 and 43 are not addressed separately, but it is respectfully submitted that these claims are allowable for at least the reason that these claims depend from allowable base claims. Applicants respectfully submit that claims 31-33 and 43 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims also add their own limitations, which render them patentable in their own right. Applicants respectfully reserve the right to argue these limitations should it become necessary in the future.

Claim 44

The comments provided above with respect to claims 34-36 are hereby incorporated by reference. Claim 44 has been similarly amended to more clearly define the embodiment therein. For similar reasons as provided above with respect to claims 34-36, Applicants respectfully

submit that claim 44, as amended, is likewise neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

V. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if she can assist in any way in expediting issuance of a patent.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136 for the time to respond up to and including December 2, 2008.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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